

REMARKS

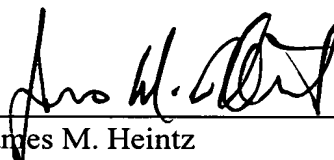
Claims 14 and 17-25 are pending in the application. These claims stand rejected under 35 U.S.C. § 103 as obvious over the combination of Frese II, et al. (hereinafter “Frese II) in view of Slattery. These rejections are traversed for the reasons set forth below.

Claims 14 and 21 require an applet operable to “cause an audible tone at a predetermined volume to be produced by a speaker connected to the end user computer.” The Office admits that this feature is not found in Frese II but rather relies on Slattery for this teaching. However, Slattery neither discloses nor suggests this step. The Office Action cites column 10, lines 33-42. This passage refers to a process shown in Fig. 5B. Fig. 5B illustrates a task 5-26 entitled “Test ADC Level for Output Parts 1 & 3.” The Office Action asserts that this routine “requires a predetermined audio level to achieve the AntiVox Threshold Level.” While it is true that routine 5-26 does test whether the ADC level > Antivox Threshold (see second “decision” diamond in route 5-26), this does not mean that an applet is causing the speaker to produce a sound at a predetermined value. Rather, routine 5-26 is a monitoring routine (see box above routine 5-26 indicating that routine 5-26 is performed every 10 milliseconds) that periodically determines whether the speaker output is above a threshold, which would presumably be caused by a person speaking into a microphone. In other words, routine 5-26 is monitoring the ADC level of an output port, but the output port is not being driven to produce the output by an applet as required by Claims 14 and 21. Indeed, if routine 5-26 did cause an audible sound to be produced by a speaker as suggested in the Office Action, the system would be useless because routine 5-26 executed every 10 milliseconds. Accordingly, Slattery does not disclose an applet that causes a speaker to produce an audible tone at a predetermined value as required by the currently pending claims and withdrawal of the rejection is respectfully requested.

In light of the above, Applicants submit that this application is now in condition for allowance and therefore request favorable consideration. If any issues remain which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact Applicants counsel, James M. Heintz at (202) 861-4167.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

A handwritten signature in black ink, appearing to read 'James M. Heintz', is written over a horizontal line.

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